

REMARKS

Status of the Claims and Amendment

Claims 1-6 are all the claims pending in this application. Claims 1-5 are withdrawn from consideration. Claim 6 is amended herewith.

Claim 6 has been amended to delete the recitation “of reducing the activity of glycerol-3-phosphate dehydrogenase (GPDH)” and to delete reference to the “L-” isomer of theanine. Further, claim 6 has been amended to further clarify that the “external skin application composition is a composition selected from the group consisting of a lotion, ointment, gel, cream, patch, and spray.” Support for the amendments to claim 6 may be found throughout the specification, for instance, at page 1, lines 5-7 and page 7, line 22 to page 8, line 4.

No new matter is added.

Statement of Substance of Examiner Telephone Interview

Applicants thank Examiner Vakhili and Supervisor Marschel for their courtesy of conducting a telephone interview with Applicants’ representatives, Sunny Lee and Tu A. Phan-Kerr, on December 9, 2009.

During the interview, claim 6 and cited references were discussed. Claim amendments which were included in the Amendment August 12, 2009 and resubmitted with the RCE filed November 10, 2009 were discussed.

The Examiners indicated that the prior art rejections raised in the Office Action of May 12, 2009 have insufficient basis and the amendments presented in the Amendment filed August 12, 2009 would overcome the rejections.

Similarly, the new matter rejection concerning “consisting essentially of” should also be withdrawn in light of Applicants’ amendment.

In addition, the Examiners proposed to amend claim 6 in order to more clearly set forth the claimed subject matter. In this regard, the Examiners agreed that claim amendments to delete recitation of the “L-” from “L-theanine” and “of reducing the activity of glycerol-3-phosphate dehydrogenase (GPDH)” from claim 6, would place claim 6 in better form.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number **202-775-7588**.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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